

IN THE CLAIMS:

*Please amend claims as follows:*

1. (Currently amended) A method for activating a location-based function, comprising  
determining at least one item of position data for the function as a condition for starting  
the function,  
using ~~the~~a device in a wireless communication network in which signals are transmitted,  
~~and~~  
monitoring in the device at least one property of the wireless communication network to  
decide whether positioning of the device is to be conducted, and  
conducting the positioning so as to determine the position of the device if it is decided in  
the monitoring to conduct the positioning.
2. (Original) The method according to claim 1, wherein the wireless communication  
network is composed of areas for which an identifier is determined, wherein identifiers of the  
areas are used as a property to be monitored, and that the positioning of the device is conducted  
when the identifier of the area changes.
3. (Original) The method according to claim 2, wherein on the basis of the position data  
determined in the function, such identifiers are determined in an area of which the position data  
is located, and that when the identifier changes, it is examined whether a position data  
determined for a function is in the area of the new identifier and that the positioning is conducted  
if said position data is located in the area of the new identifier.

4. (Original) The method according to claim 2, wherein the communication network contains base stations for each of which a cell identifier is determined, and that the cell identifier is used as the identifier of said area.
5. (Original) The method according to claim 4, wherein at least one base station is used as a serving base station for the device at a time and that a decision on performing the positioning is made when the serving base station changes.
6. (Original) The method according to claim 4, wherein in the device signals of several base stations are listened to and cell identifiers are determined from signals received from the base stations, wherein the decision on performing the positioning is made when a new cell identifier is detected in the received signals.
7. (Original) The method according to claim 1, wherein the property subject to said monitoring is signal strength of a base station, and that in the device the signal strength of at least one received base station is also measured at intervals, wherein at least information on changes in the signal strength is utilized in order to decide whether positioning of the device is conducted.
8. (Original) The method according to claim 1, wherein the property subject to said monitoring is timing of a signal of a base station, and that in the device the timing of at least one received base station signal is also measured at intervals, wherein at least information on changes in the timing of the signal is utilized in order to decide whether positioning of the device is conducted.

9. (Original) The method according to claim 7, wherein on the basis of a cell identifier it is determined whether the device is in an area of such a cell to which position data of a function is connected, wherein information on the base station signal strength is used for making a decision on performing the positioning only in such a situation in which the device is in the area of such a cell to which position data of a function is connected.
10. (Original) The method according to claim 1, wherein on the basis of positioning it is determined whether an activating condition of a function is realized.
11. (Original) The method according to claim 1, wherein said function is an act of presenting a message.
12. (Currently amended) A system comprising
- determination means for determining a location-based function, in which at least one item of position data is determined for the function as a condition for activating the function,
- processing means for activating a location-based function in a device ~~and~~,
- a wireless communication network comprising at least one transmitter for transmission of signals, and
- a positioning element for determining a location of the device,
- wherein the device ~~containing~~ comprises
- monitoring means for monitoring at least one property of the wireless communication network and
- determination means in which the property is for use in determining whether positioning of the device is to be conducted.

13. (Original) The system according to claim 12, wherein the wireless communication network is composed of areas for which an identifier is determined, wherein identifiers of the areas are arranged to be used as a property to be monitored, and that the positioning of the device is arranged to be conducted when the identifier of the area changes.

14. (Original) The system according to claim 12, wherein timing of a signal of a base station is arranged to be used as the monitored property, and that the device comprises measurement means for measuring signal strength of at least one signal received from a base station, wherein at least information on a changing of the signal strength is arranged to be utilized in the determination means for said use in determining whether positioning of the device is conducted.

15. (Original) A device comprising determination means for determining a location-based function, in which at least one item of position data is determined for the function as a condition for activating the function, processing means for activating a location-based function in a device, wireless communication means for setting up a data network connection to a wireless communication network comprising at least one transmitter for transmission of signals, monitoring means for monitoring at least one property of the communication network, and determination means in which the property to be monitored is arranged to be used to decide whether the positioning of the device is conducted.

16. (Original) The device according to claim 15, wherein it is a wireless communication device.

17. (Original) A program stored on a machine-readable medium, comprising a group of machine-executable program commands for presenting messages in a device, and at least one location-based condition for presenting a message is determined in the message, said program being intended to be executed in a device used in a wireless communication network in which signals are transmitted, the program also comprising machine-executable program commands for monitoring at least one property of the wireless communication network to decide whether positioning of the device is conducted.

18. (New) A device comprising

- a location-based function, in which at least one item of position data is determined for the function as a condition for activating the function,
- a processor for activating the location-based function in the device,
- a wireless communicating element for setting up a data network connection to a wireless communication network comprising at least one transmitter for transmission of signals,
- a monitor for monitoring at least one property of the communication network, and
- a determination element using information from the monitor relating to the property to be monitored to decide whether the positioning of the device is to be conducted, and
- a positioning element for determining the location of the device.

19. (New) The method according to claim 1, wherein said function is activated when it is determined that the determined position corresponds with said at least one item of position data for the function.

20. (New) The program according to claim 17, further comprising a group of machine-executable program commands for performing the positioning if it is decided in the monitoring to conduct the positioning.